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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,868	01/05/2004	Rolf Stefani	117154	3245
25944	7590	02/10/2005		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320				EXAMINER NGUYEN, CUONG H
				ART UNIT 3661 PAPER NUMBER

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<i>Office Action Summary</i>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/750,868	STEFANI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	CUONG H. NGUYEN	3661	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 09 November 2004.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-19 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-19 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 1/5/04 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 1/05/04

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_

Art Unit: 3661

### DETAILED ACTION

1. This Office Action is the answer to the communication received on 1/05/2004.
2. Claims 1-19 are pending in this application.

#### Drawings

3. This application is submitted with 5 sheets of informal drawings (Figs. 1-5). Currently, they are acceptable for examining purposes.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

*(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.*

4. Claims 1-19 are rejected under 35 U.S.C. § 102(b) as being anticipate by Sudolsky (US Pat. 6,115,656).

A. To claims 1-6, 8, 10-12, 14, 16-17, 19: Sudolsky teaches a system for monitoring, reporting and diagnosing fault information of a vehicle on a real time basis both within the vehicle and outside of the vehicle, comprising:

- a. a quick access recorder that records the fault information (i.e. an optical quick access recorder (OQAR), see Sudolsky, Fig.1 ref.18);

Art Unit: 3661

- b. a portable hardware that is removable from the vehicle and diagnoses the fault information (i.e. an optical disk, see Sudolsky, Fig.1 ref.20);
- c. an onboard data communication network that communicates information between the quick access recorder and the portable hardware (i.e. line replaceable units (LRU), see Sudolsky, Fig.1 ref.18); and
- d. a data transmitting device (APDMC 14 of Fig.1) for transmitting the fault information and diagnosis in real-time between the vehicle location and a receiver in another location (i.e. OQAR, see Sudolsky, Fig.1 ref.30).

B. Re. to dependent "system" claim 2: Sudolsky also teaches a quick access recorder comprises recording line replacement units (i.e. line replaceable units (LRU), see Sudolsky, the abstract, and Fig.1's structure).

C. Re. to dependent "system" claim 3: Sudolsky also teaches a system according to claim 3, wherein the line replacement units are removable for further diagnostic (i.e. line replaceable units (LRU), see Sudolsky, the abstract, and Fig.3A ref.138).

D. Re. To claims 4, 16: Sudolsky also teaches a system according to claim 1, wherein the removable, portable hardware is for monitoring and reporting faults in the system (note that

Art Unit: 3661

a rationale for rejection of this limitation is already provided in above claim 1.a. & 1.d.).

C. Re. To claims 5, 17: Sudolsky also teaches a system according to claim 4, to perform real-time monitoring and analysis of data received from the quick access recorder (note that a rationale for rejection of this limitation is already provided in above claim 1.c. & 1.d.).

D. Re. To claims 6, 14: Sudolsky also teaches a system according to claim 5, wherein the suite of applications utilizes the on board data communications network to transmit notification messages to a crew (note that a rationale for rejection of this limitation is already provided in above claim 1.d.).

E. Re. To claims 7, 9, 13, 15, and 18: Sudolsky inherently teaches a system according to claim 5, utilizing an air-ground data transmitting device (see Sudolsky's "Radio Receiver-Transmitter" antenna)

F. Re. To claim 8: Sudolsky inherently teaches a system according to claim 1, wherein the onboard data communication network is a data bus (ARINC 573 bus 15) that enables exchange of information see Sudolsky, the summary, and Fig.1).

G. Re. To claims 9, 18: Sudolsky inherently teaches a system according to claim 1, wherein the air-to-ground transmitting

Art Unit: 3661

device further comprising an air-ground antenna (see Sudolsky's "Radio Receiver-Transmitter" antenna).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 703-305-4553. The examiner can normally be reached on 7:15am - 3:45pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on 703-305-8233. The fax phone number for the organization where this application is assigned is 703-305-7687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Cuonghnguyen*

CHN  
CUONG H. NGUYEN  
Primary Examiner  
Art Unit 3661